

REMARKS

Claims 1-37 remain for consideration and are thought to be allowable over the cited art.

The Office Action fails to show that claims 1-37 are directed to non-statutory subject matter under 35 USC §101. The rejection is respectfully traversed because the claims are directed to subject matter that produces a useful, concrete, and tangible result.

The Office Action fails to present a *prima facie* case that the claimed invention as a whole is directed to non-statutory subject matter [MPEP 2106.II.A]. Specifically, the Office Action simply concludes that "it is unclear how and when to use the claimed invention." It is respectfully submitted that FIGs. 1-3 illustrate an example use scenario, and the accompanying written description describes the use of the claimed invention that demonstrates producing a useful, concrete and tangible result.

According to the law and the guidelines provided by the MPEP, each of the independent claims contain sufficient limitations directed to subject matter that produces a useful, concrete, and tangible result. For example, claim 1 includes limitations of displaying in a user interface program code and a corresponding implementation instruction in response to a query, which those skilled in the art will recognize as producing as a useful, concrete, and tangible result. Claim 10 includes limitations of a code development system having a user interface adapted to display program code and an implementation instruction in response to a query, which those skilled in the art will recognize as producing a useful, concrete, and tangible result. Claim 17 sets forth a user interface including a code display window and an implementation instruction window for displaying program code and a linked implementation instruction in response to a query, which those skilled in the art will recognize as producing a useful, concrete, and tangible result. Claim 22 sets forth machine readable storage with code sections for causing a machine to display program code and corresponding implementation instruction in a user interface in response to a query, which those skilled in the art will recognize as producing as a useful, concrete, and tangible result. Claim 33 sets forth a method for program development and includes limitations of displaying program code and associated

implementation instructions in portions of a display in response to selection of an element in the program code, which those skilled in the art will recognize as producing as a useful, concrete, and tangible result.

Claims 1-37 are therefore understood to be directed to statutory subject matter, and the rejection should be withdrawn.

The Office Action fails to establish that claims 1-37 are unpatentable under 35 USC §103(a) over "Bailey" (US patent number 6,701,513 to Bailey) in view of "Yamamoto" (US patent number 6,735,759 to Yamamoto et al). This rejection was traversed in the Amendment and Response filed on September 15, 2004, in response to the first Office Action. The current Office Action does not answer the reasons for traversing this rejection as presented in the previous Amendment and Response; the current Office Action simply repeats the rejection made in the first Office Action. In the interest of moving prosecution of this case forward, Applicant respectfully requests that the Examiner provide a response to the arguments made in the previous Amendment and Response.

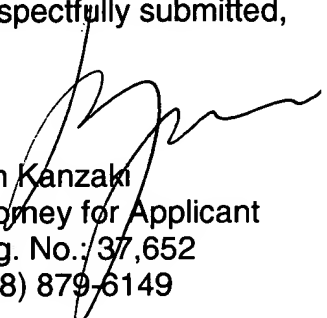
In addition the Applicant again requests evidence of the Examiner's alleged motivation to combine. The alleged motivation suggests that "it would have been obvious ... to improve the teachings of Bailey with the teachings of Yamamoto in order to easily modify and edit the software program." It is respectfully submitted that this alleged motivation is conclusory and lacks evidence to support the conclusion. For example, the Office Action does not provide any evidence that Bailey's program development environment impedes easily modifying and editing a software program. Furthermore, the Office Action provides no evidence that the software in Bailey's environment could be more easily modified and edited with the alleged modification. The alleged motivation lacks supporting evidence, is conclusory, and therefore, improper.

The reasons for traversing this rejection, as set forth in the previous Amendment and Response, are maintained in this response. Claims 1-37 are thought to be patentable over the Bailey-Yamamoto combination because the Office Action fails to establish a *prima facie* case of obviousness.

CONCLUSION

Reconsideration and a notice of allowance are respectfully requested in view of the Amendments and Remarks presented above. If the Examiner has any questions or concerns, a telephone call to the undersigned is invited.

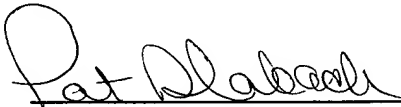
Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patent, Washington, D.C. 20231, on March 22, 2005.

Pat Slaback
Name



Signature